

**OFFICIAL FORM 3
PRE-CONFIRMATION CHAPTER 13 PLAN**

CHAPTER 13 PLAN

Docket # 08-13327

DEBTORS: (H) Arthur S. Almeida

SS # XXX-XX-7422

(W) Teresa M. Almeida

SS # XXX-XX-8118

I. PLAN PAYMENT AND TERM

Debtor(s) shall pay monthly to the Trustee the sum of \$265.00 for the term of:

☐ 36 months. 11 U.S.C. § 1325(b)(4)(A)(i);

☐ 60 months. 11 U.S.C. § 1325(b)(4)(A)(i);

☐ 60 months. 11 U.S.C. § 1322(d)(2). Debtor avers the following cause:

_____ ; or

☐ 48 Months. The Debtor states as reasons therefore: The additional time reduces the
Debtors' payments and allows for a higher percentage distribution to creditors.

II. SECURED CLAIMS:

A. Claims to be paid through the plan (including arrears):

Creditor	Description of Claim (pre-petition arrears, purchase money, etc.)	Amount of Claim
<u>None</u>	<u></u>	\$ <u>-0-</u>
<u></u>	<u></u>	\$ <u></u>
<u></u>	<u></u>	\$ <u></u>

Total of secured claims to be paid through the Plan: \$ -0-

B. Claims to be paid directly by debtor to creditors (Not through Plan):

Creditor	Description of Claim
<u></u>	<u>Mortgage payments are current and the</u>
<u></u>	<u>Debtors will make their post-petition</u>
<u></u>	<u>Mortgage payments directly outside of the</u>
<u></u>	<u>Plan.</u>

C. Modification of Secured Claims:

Creditor	Details of Modification (Additional Details May be Attached)	Amount of Claim to Be Paid Through Plan
<u>None</u>	<u></u>	\$ <u></u>
<u></u>	<u></u>	\$ <u></u>

D. Leases: NONE

- i. The Debtor(s) intend(s) to reject the residential/personal property lease claims of ; or

ii. The Debtor(s) intend(s) to assume the residential/personal property lease claims of _____.

iii. The arrears under the lease to be paid under the plan are _____.

III. PRIORITY CLAIMS:

A. Domestic Support Obligations:

Creditor	Description of Claim	Amount of Claim
None		\$ -0-

B. Other:

Creditor	Description of Claim	Amount of Claim
None		\$ -0-
		\$
		\$
		\$
		\$
Total or Priority Claims to Be Paid Through the Plan:		\$ -0-

IV. ADMINISTRATIVE CLAIMS:

A. Attorneys Fees (to be paid through the Plan): \$ 1200.00

B. Miscellaneous fees:

Creditor	Description of Claim	Amount of Claim
None		\$ -0-
		\$
		\$

C. The Chapter 13 Trustee's fee is determined by order of the United States Attorney General. The calculation of the Plan payment set forth below utilizes a 10% Trustee's commission.

V. UNSECURED CLAIMS:

The general unsecured creditors shall receive a dividend of 28.5 % of their claims.

A. General unsecured claims: \$ 36,000.00

B. Undersecured claims arising after lien avoidance/cramdown:

Creditor	Description of Claim	Amount of Claim
<u>None</u>	<u></u>	\$ <u>-0-</u>
<u></u>	<u></u>	\$ <u></u>
<u></u>	<u></u>	\$ <u></u>

D. Non-Dischargeable Unsecured Claims:

Creditor	Description of Claim	Amount of Claim
<u>None</u>	<u></u>	\$ <u>-0-</u>
<u></u>	<u></u>	\$ <u></u>

Total of Unsecured Claims (A + B + C): \$ 36,000.00

D. Multiply total by percentage: \$ 10,260.00
(Example: Total of \$38,500.00 x .22 dividend = \$8,470.00)

E. Separately classified unsecured claims (co-borrower, etc.):

Creditor	Description of Claim	Amount of Claim
<u>None</u>	<u></u>	\$ <u>-0-</u>
<u></u>	<u></u>	\$ <u></u>
<u></u>	<u></u>	\$ <u></u>

Total amount of separately classified claims payable at ____%: \$ -0-

VI. OTHER PROVISIONS:

A. Liquidation of assets to be used to fund plan: None

B. Miscellaneous Provisions:

None

VII CALCULATION OF PLAN PAYMENT:

a) Secured claims (Section II-A Total):	\$ <u>-0-</u>
b) Priority claims (Section III-A & B Total):	\$ <u>-0-</u>
c) Administrative claims (Section IV-A&B Total):	\$ <u>1,200.00</u>
d) Regular unsecured claims (Section V-D Total):	\$ <u>10,260.00</u>
e) Separately classified unsecured claims (Section IV-E Total):	\$ <u>-0-</u>
f) Total of a + b + c + d + e above:	=\$ <u>11,460.00</u>
g) Divide (f) by .90 for total including Trustee's fee:	
Cost of Plan	+\$ <u>12,733.00</u>

(This represents the total amount to be paid into the Chapter 13 Plan.)

h) Divide (g) Cost of Plan by Term of Plan 48 months

(i) Round up to nearest dollar for Monthly Plan Payment: \$ 265.00
(Enter this amount on page 1)

Pursuant to 11 U.S.C. §1326(a)(1) unless the Court orders otherwise, debtor shall commence making the payments proposed by a plan within thirty (30) days after the petition is filed.

Pursuant to 11 U.S.C. §1326(a)(1)(C), the debtor shall make preconfirmation adequate protection payments directly to the secured creditor.

VIII. LIQUIDATION ANALYSIS

A. Real Estate:

Address	Fair Market Value	Total Amount of Recorded Liens (Schedule D)
48 Pamela Drive, New Bedford MA	\$ 276,000.00	\$ 160,000.00
	\$	\$
	\$	\$
Total Net Equity for Real Property:		\$ 116,000.00
Less Total Exemptions (Schedule C):		\$ 500,000.00
Available Chapter 7:		\$ -0-

B. Automobile (Describe year, make, model):

2000 Chevrolet Cavalier	Value \$ 2,600.00	Lien \$ -0-	Exemption \$ 700.00
2005 Chevrolet Ventura	Value \$ 9,060.00	Lien \$ -0-	Exemption \$ 700.00
	Value \$	Lien \$	Exemption \$
Net Value of Equity:			\$ 11,660.00
Less Total Exemptions (Schedule C)			\$ -1,400.00
Available Chapter 7:			\$ 10,260.00

C. All other Assets: (All remaining items on Schedule B): (Itemize as necessary)

All other assets are exempt.

Total Net Value:	\$
Less Exemptions (Schedule C)	\$
Available Chapter 7:	\$ -0-

D. Summary of Liquidation Analysis (total amount available under Chapter 7):

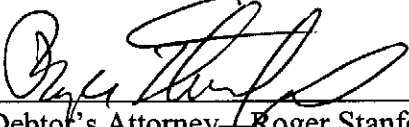
Net Equity (A and B) Plus other Assets (C) less all claimed exemptions: \$ 10,260.00

E. Additional Comments regarding Liquidation Analysis:

None

IX. SIGNATURES

Pursuant to the Chapter 13 rules, the debtor or his/her attorney is required to serve a copy of the Plan upon the Chapter 13 Trustee, all creditors and interested parties, and to file a Certificate of Service accordingly.


Debtor's Attorney Roger Stanford

6-5-08
Date

Attorney's Address: 100 Eighth Street

New Bedford, MA 02740

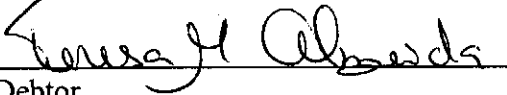
Tel. # (508) 994-3393

Email Address: ROGERSTANF@AOL.COM

I/WE DECLARE UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING REPRESENTATIONS OF FACT ARE TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.


Debtor

6-5-08
Date


Debtor

6-5-08
Date

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS